

GOVERNMENT OF TELANGANA
ABSTRACT

Elections - Bye-Elections to 35-Narayankhed Assembly Constituency of Medak district - Polling on 13th February 2016 (Saturday) and Counting of votes on 16th February 2016 (Tuesday) - Declaration of Local Holiday - Authorization to the District Election Officer - Orders - Issued.

GENERAL ADMINISTRATION (ELECTIONS-B) DEPARTMENT

G.O.RT.No. 244

Dated: 03/02/2016

Read the following:

1. From the Secretary, Election Commission of India, New Delhi, Press Note No. ECI/PN/2/2016, dated 12th January 2016.
2. From the Secretary, Election Commission of India, New Delhi, letter No. 78/2016/EPS, dated 19th January 2016.

O R D E R:-

According to the schedule announced by the Election Commission of India, vide reference first read above, polling for the Bye-Election to 35-Narayankhed Assembly Constituency of Medak district will be held on 13th February 2016 (Saturday) and Counting of votes will be on 16th February 2016 (Tuesday).

2. Hence, the State Government hereby authorize the Collector & District Magistrate, Medak district to declare a local holiday in the area of the aforesaid Assembly Constituency on the day of poll i.e., 13th February 2016 (Saturday), if there is no holiday. He is also authorized to declare a local holiday, if necessary, on the day before the day of Poll i.e 12th February 2016 (Friday) for the Institutions where Polling Stations / Distribution centres are established in connection with conduct of Bye-Election to 35-Narayankhed Assembly Constituency and also, if necessary, on the day fixed for Counting i.e., on 16th February 2016 (Tuesday) for the Institutions where Counting Centres are established. On local holidays, the Treasuries and Sub-Treasuries in the District shall, however, function as usual.

3. Government also direct, that as per the instructions of the Election Commission of India, vide reference second read above,

- (i) the Labour, Employment Training & Factories Department shall declare a paid holiday in the area of 35-Narayankhed Assembly Constituency of Medak district on the day of poll i.e. 13th February 2016 (Saturday), if there is no holiday under the A.P. Factories and Establishments Act, 1974 (A.P. Act No.32/1974) and A.P. Shops and Establishments Act, 1988 read with the provisions laid down in Section 135-B of the R.P. Act, 1951 so as to enable the workers to exercise their franchise. Regarding the Industrial Undertakings / Establishments which are working on shift basis, it is clarified that a holiday may be declared only for the shift during which the poll is to be conducted (from 7.00 AM to 5.00 PM), in view of the clarification issued by the Election Commission of India, in its letter No.78/99/PLN-1, dated 6th April, 1999.
- (ii) the Commissioner of Labour, Government of Telangana, Hyderabad shall declare a closed holiday in the area of 35-Narayankhed Assembly Constituency on the day of poll i.e. 13th February 2016 (Saturday), if there is no holiday under the A.P. Shops and Establishments Act, 1988 (Act 20/1988) read with provisions laid down in Section 135-B (4) of R.P. Act, 1951, so as to enable the electors working in such shops, establishments to exercise their franchise;

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(iii) All Municipal Corporations, Municipal Committees and other Local Bodies and every University established by Central Provincial or State Act located in 35-Narayankhed Assembly Constituency area shall also observe local holiday to be declared by the Collector & District Magistrate, Medak district, as authorized by the Government, on the day of poll i.e., 13th February 2016 (Saturday) in the area of 35-Narayankhed Assembly Constituency.

4. As per the provisions of Section 135-B of the R.P. Act, 1951, the Commissioner of Labour, Government of Telangana, Hyderabad shall ensure that (i) every person employed in any business, trade, industrial undertaking or any other establishment and entitled to vote at election to the Legislative Assembly shall, on the day of poll, be granted a holiday; (ii) no deduction or abatement of the wages of any such person shall be made on account of a holiday having been granted in accordance with sub-section (1) and if such person is employed on the basis that he would not ordinarily receive wages for such a day, he shall nonetheless be paid for such day the wages he would have drawn had not a holiday been granted to him on that day; (iii) If an employer contravenes the provisions of sub-section (i) or sub-section (ii), then such employer shall be punishable with fine, which may extend to five hundred rupees.

5. The Government also direct that, as clarified by the Election Commission of India vide its letter second read above, in the case of employees who are ordinarily resident in the area of 35-Narayankhed Assembly Constituency, where poll is on 13th February 2016 (Saturday), but having the place of work outside the Constituency area, those electors including casual workers working outside the Constituency concerned would be entitled to the benefit of a paid holiday extended under the Section 135B(1) of the Representation of the People Act, 1951, although his/her office does not happen to be closed on that particular day. The daily wage/casual workers are also entitled for a holiday and wages on poll day as provided in Section 135B of the Representation of the People Act, 1951.

6. It is clarified that as per the provisions of Section 135-B (iv) of the Representation of the People Act, 1951, this section shall not apply to any elector whose absence may cause danger or substantial loss in respect of the employment in which he is engaged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**DR. RAJIV SHARMA
CHIEF SECRETARY TO GOVERNMENT**

To

The Collector & District Magistrate, Medak district.

The Higher Education Department, Telangana State.

The School Education Department, Telangana State.

The Panchayat Raj & Rural Development Department, Telangana State.

The Municipal Administration & Urban Development Department, Telangana State.

The Commissioner of Labour, Telangana State, Hyderabad.

Copy to:-

All Departments of Secretariat, Telangana Government ... with a request to communicate to all subordinate offices under their control.

The Telangana State Public Service Commission, M.J. Road, Hyderabad.

The Secretary, Legislature, Assembly Buildings, Telangana State, Hyderabad.

The Returning Officer of 35-Narayankhed Assembly Constituency of Telangana State through :
The Collector & District Magistrate, Medak district.

[Contd..3..]

The District Treasury Officer, Medak district.
The Commissioner, Information & Public Relations, Telangana State. Hyderabad.
The Accountant General, Telangana, Hyderabad.
The Registrar, High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh, Hyderabad.
The Registrar, Telangana and Andhra Pradesh Administrative Tribunal, Hyderabad.
The Principal Secretary (TK), Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi.
The Ministry of Home Affairs, Govt. of India, New Delhi.
The Reserve Bank of India, Hyderabad.
The General Administration (PE/Pol.A) Department, Telangana State.
The PS to Chief Secretary, Telangana State.
The PS to Principal Secretary to Government (Poll.), Telangana State.
All Officers and Sections in the o/o CEO.
SC/SF.

//Forwarded :: By Order//

SECTION OFFICER